



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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September 14, 2016

**BY ECF AND FACSIMILE (212) 805-7942**

Honorable Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Carol Hill, et al. v. City of New York, et al.  
12-CV-8691 (AKH)

Your Honor:

I am Senior Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney representing defendants in the above-referenced matter. I write this letter to address the Court's concerns regarding the disclosure of expert witnesses and a timeline that might be helpful in deciding certain evidentiary issues.

At the conference before Your Honor on January 15, 2016, undersigned counsel requested an extension of discovery to provide an expert report from a forensic pathologist. The Court set a deadline of April 29, 2015 for the parties to exchange expert reports. Prior to the April deadline, defendants disclosed Dr. Wetli as their expert, and provided the expert report of Dr. Wetli as well as his curriculum vitae and testimony list, to counsel for plaintiff on April 28, 2016. Included in the report were items relied upon by Dr. Wetli to reach his conclusions, including the deposition of Suzette Smoot. Plaintiff produced her expert report to the undersigned on April 29, 2016. At the next conference on May 6, 2016, the parties discussed with the Court the witnesses for trial, and defendants again identified our expert forensic pathologist as a trial witness. The Court set a trial date of September 12, 2016.

Plaintiff has never raised an objection to Dr. Wetli's qualifications as an expert forensic pathologist, or, more importantly, to his report in its entirety.

Based on the foregoing, defendants respectfully submit that Dr. Wetli was appropriately disclosed as an expert and as a witness for trial consistent with the Federal Rules of Civil Procedure and the Orders of this Court.

Thank you for your consideration in this regard.

Respectfully submitted,

/s/ Amanda C. Shoffel

Amanda C. Shoffel

Assistant Corporation Counsel

cc: **BY ECF**  
Michael Colihan, Esq.  
*Attorney for Plaintiff*